

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GARY T. WINNETT, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:06-0235
)	Judge Trauger
CATERPILLAR INC.,)	
)	
Defendant,)	

JUDITH K. KERNS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:06-1113
)	Judge Trauger
CATERPILLAR INC.,)	
)	
Defendant.)	
)	

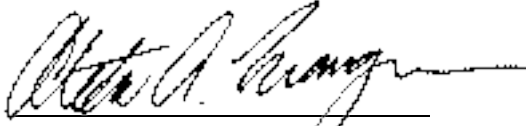
ORDER

For the reasons expressed in the accompanying Memorandum, the defendant's Motion to Reconsider in *Winnett* (Docket No. 475) is **GRANTED**, and the plaintiffs' claims in that case are now all **DISMISSED** and the injunction issued on October 16, 2008 is hereby **DISSOLVED**. The defendant's Motion to Reconsider in *Kerns* (Docket No. 266) is **DENIED**, and the court's liability findings in that case are unchanged.

It is further **ORDERED** that a telephone conference will be held with counsel on January 31, 2011 at 2:30 CST to discuss how to proceed as to the remaining issues in these cases.

It is so ordered.

Enter this 12th day of January 2011.



ALETA A. TRAUGER
United States District Judge